

# **EXHIBIT 176**

4

IN RE: NATIONAL MDL No. 2804  
5 PRESCRIPTION OPIATE  
LITIGATION Case No.  
6 1:17-MD-2804

7

THIS DOCUMENT RELATES TO Hon. Dan A. Polster  
8 ALL CASES

10

11 HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER  
12 CONFIDENTIALITY REVIEW

14

15 Wednesday, January 16th, 2019

16 8:03 a.m.

17

19 Omni Hotel

20 One West Exchange Street  
21 Providence, Rhode Island

22

23 REPORTED BY:

24 Maureen O'Connor Pollard, RMR, CLR, CSR

1 believe, to Mr. Nicastro again addressing the  
2 staffing issue, correct?

3 A. I see that e-mail that I sent to  
4 Mr. Nicastro on the 16th of July, '13.

5 Q. You ask "Has Aaron's job been posted?"  
6 Do you know, had Aaron left by that  
7 point?

8 A. I don't -- I cannot state if Aaron had  
9 left or given notice that he had planned to  
10 leave.

11 Q. You state "I did speak to Andy about  
12 staffing and suggested to replace Aaron, add two  
13 analysts (like Kelly) and six clerical staff."

14 Who is Andy?

15 A. I believe I was referring to Andy  
16 Koropoulis who was the operations manager of the  
17 Indianapolis distribution center who reported in  
18 to Mark.

19 Q. Do you know if two analysts and six  
20 clerical staff were added to the SOM team in  
21 Indianapolis at any point in time after this  
22 e-mail?

23 A. I do not recall that two analysts or  
24 six clerical staff were added. I recall that we

1 had -- as we discussed earlier, we had  
2 interviewed for some positions, we back-trained  
3 and pulled in a former employee, former  
4 pharmacist employee to come in and work on the  
5 process, as well as hired third-party DEA  
6 consultants to assist.

7 Q. Who was that person that was brought  
8 in, the former pharmacist?

9 A. Gary Millikan. He was a pharmacist,  
10 and he ran the pharmacy operation in  
11 Indianapolis for a period of time. I don't know  
12 how long.

13 (Whereupon, CVS-Vanelli-39 was marked  
14 for identification.)

15 BY MR. DEROCHE:

16 Q. I show you what we marked as  
17 Exhibit 39. This is a letter from yourself to  
18 Matthew Murphy at Pharma Compliance Group, is  
19 that correct?

20 A. Appears so by looking at the heading,  
21 yes.

22 Q. Appears to be a letter agreement that  
23 you sent to engage Pharma Compliance Group to  
24 perform some services for CVS, correct?

1 A. That is what I see.

2 Q. Is this the group that you referred to  
3 in terms of coming in and providing some SOM  
4 staffing as needed?

5 A. Yes.

6 Q. How many folks do you know were  
7 assigned by Pharma to CVS to provide the  
8 staffing you needed?

9 A. How many folks? I could recall  
10 probably maybe three. I don't know the exact  
11 number.

12 Q. Do you know what training they were  
13 provided with respect to the SOM system that was  
14 currently in place in Indianapolis?

15 A. Other than being former DEA agents,  
16 I'm not aware of training that they were  
17 provided prior to coming in to assist in the  
18 facility.

19 Q. Did you ever see them do their work?

20 A. I did not. It occurred in  
21 Indianapolis, and I was in Rhode Island.

22 Q. Do you know as former DEA agents if  
23 they had performed SOM analysis in the past?

24 A. I do not know. Do not recall.